

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

S000319

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: W H CILKER

CARL CILKER
1631 WILLOW ST #225
SAN JOSE, CA 95125

STATEMENT NO: S000319

SOURCE: COYOTE CREEK
TRIBUTARY TO:
COUNTY: SANTA CLARA
DIVERSION
WITHIN: SW% OF NW% SECTION 12, T6S, R1W, MB&M.

TELEPHONE NUMBER:
(408) 264-2534

YEAR OF FIRST USE: 1923
PARCEL NO: 25

- A. Water is used under: Riparian claim _____ Pre 1914 right _____ Other (explain): _____
B. Year of first use (Please provide if missing above) _____
C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996													0
1997													0
1998													0

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____ ; Domestic _____;

Other (specify) _____

- E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Describe any water conservation efforts you may have started:
b. _____
c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or Water Rights in California, and (3) Appropriation of Water in California.

(3) assists the State to determine if additional water is available for future appropriators. (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (1) provides statements of Water Diversions and Use filed by riparian and per 1914 appropriate water users. The filing of a statement (1) provides

record of water use, (2) enables the State to store water for later use, (3) assists the State to determine if additional water is available for future appropriators. Since 1914, new appropriators have been required to obtain a permit and license from the State.

An appropriate right is a surplus not needed by riparian water users. Generally, appropriate rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below.

COMPANY NAME: *Cutter Ordnance*
 PRINTED NAME: *T. L. Cullinan* (first name) *J.* (middle init.) *Cullinan* (last name)
 SIGNATURE: *S. T. Cullinan*
 DATE: *7/26/99* at *San Jose*, California
 I declare that the information in this report is true to the best of my knowledge and belief.

19 _____ (aff/mg) 19 _____ (aff/mg) 19 _____ (aff/mg) 19 _____ (aff/mg)

b. If credit toward use under a claimed pre 1914 appropriate right through substitution of groundwater in lieu of appropriated water is claimed under section 101.5 of the Water Code, please show the amounts of groundwater used:

a. Are you now using groundwater in lieu of surface water? YES _____ NO _____

3. Conjunctive use of surface water and groundwater

19 _____ (aff/mg) 19 _____ (aff/mg) 19 _____ (aff/mg) 19 _____ (aff/mg)

b. If credit toward use under a claimed pre 1914 appropriate water in lieu of appropriated water is claimed under section 101 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

(916) 657-2170

P.O. BOX 2000, SACRAMENTO, CA 95812-2000

STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

DIV. OF WATER RIGHTS
SACRAMENTO
96 JUN -3 PM 3:17

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: W H CILKER

CARL CILKER
1631 WILLOW STREET #225
SAN JOSE, CA 95125

STATEMENT NO: S000319

SOURCE: COYOTE CREEK
TRIBUTARY TO:
COUNTY: SANTA CLARA
DIVERSION

TELEPHONE NUMBER:

(408) 264-2534

YEAR OF FIRST USE: 1923

PARCEL NO:

WITHIN: SW¼ OF NW¼ SECTION 12, T6S, R1W, MB&M.

A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons Acre-feet (other)

We are not currently using water from this source.

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993													
1994													
1995													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: May 28, 1996, at San Jose, California

SIGNATURE: Carl A. Cilker

PRINTED NAME: Carl A. Cilker
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: Cilker Orchards

See back of page for General Information. If there is insufficient space for your answers,
please number them in the space provided on the back of this form.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California, riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water from their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State. An appropriative right is exercised only when there is a surplus not needed by riparian water users. Generally, appropriative rights may be exercised a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators. Statements of Water Diversions and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

"Statement of Water Diversions and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

STATE WATER RESOURCES
CONTROL BOARD

(416) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
1990 MAR 7 PM 5:21

DIV. OF WATER RIGHTS
SACRAMENTO NO: 000319

DIVERTER OF RECORD:

W M CILKER
C/O CARL CILKER
1631 WILLOW STREET #225
SAN JOSE, CA 95125

TELEPHONE NUMBER:
(408) 264-2534

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: COYOTE CREEK

TRIBUTARY TO:

COUNTY: SANTA CLARA

DIVERSION

WITHIN: SW1/4 OF NW1/4 SECTION 12, T06S, R01W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts Gallons
below are: Acre-feet
 _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1987						52.6						126.7	174.3
1988	0	0	0	0	0	0	0	0	0	0	0	0	0
1989	0	0	0	0	0	0	0	0	0	0	0	0	0

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 78 acres

Stockwatering -0-

Domestic -0-

Other (specify) -0-

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: March 5, 1990, at San Jose

Signature: *Carl Cilker*

MAR 15 CALIFORNIA KSN

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- “Statements of Water Diversion and Use”
- “Information Pertaining to Water Rights in California”
- “Water Rights for Stockponds Constructed Prior to 1969”
- “Appropriation of Water in California”

SAMPLE

SAMPLE

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319

STATE WATER RIGHTS BOARD
ROOM 1140, RIVERSIDE BUILDING
1000 IOWA STREET
SACRAMENTO, CALIFORNIA 95814

Statement of Water Diversion and Use (Please check one)

A. Name of person diverting water W.H. CILKER
Address 16075 MATILJA DR. LOS GATOS, CAL.

B. Name of body of water at point of diversion COYOTE CREEK

Tributary to _____

C. Place of diversion 1/8 MILE NORTH OF HIGHWAY #9 BRIDGE, COYOTE CREEK.

SANTA CLARA COUNTY, OR LOCATED IN THE NORTH OF SECTION GRID ON REVERSE SIDE WITH NUMBER OF
prominent local landmarks.

D. Capacity of diversion works in 450 GPM

Capacity of storage reservoir CREEK POND, ABOUT 100,000 BTU

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
1966 :	:	:	:	20	40	40	12	40	40	30	15	:	226

If monthly and annual use are not known, check months in which water was used. State cause of use in using such as amount of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years has been 500

Minimum annual water use in recent years has been 20

Type of diversion facility: gravity ✓ pump _____

Method of measurement: weir ✓, flume ✓, electric power meter ✓, water meter ✓, odometer ✓

E. Purpose of use (what water is being used for) IRRIGATE PEAR ORCHARD

F. General description or location of place of use (use sketch of section grid on reverse side if you desire) 1 MILE WEST OF MILPITAS ON HIGHWAY #9, 1 MILE NORTH OF COYOTE CR. BRIDGE

G. Year of first use as nearly as known 1923 OR EARLIER

H. Name of person filing statement W.H. CILKER

Position OWNER

Organization dba CILKER ORCHARDS

Address 16075 MATILJA DR. LOS GATOS, CAL.

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Signed W.H. CILKER Aug. 30, 1966

See Instructions on Reverse Side